

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-14969 - APPLICANT: BLUE HERON COMPANIES -
OWNER: CORVIALE, LLC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on July 7, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Variance (VAR-4005) as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for an Extension of Time of an approved Variance (VAR-4005) that allowed an R-PD (Residential Planned Development) zoning district on 2.92 acres where a minimum of five acres is required at 1700 South Buffalo Drive.

EXECUTIVE SUMMARY

This is the first Extension of Time application for the subject site. The applicant is proposing a two year Extension of Time for Variance (VAR-4005) and related cases. The Variance was also approved with a related Site Development Plan Review (SDR-4004) and a Rezoning (ZON-4003). The applicant is also seeking an extension of time on these items as well. The applicant indicates that the Extension of Time is needed due to delays in the construction and design process. Therefore, the extension is needed prior to expiration of the subject Variance.

BACKGROUND INFORMATION

A) *Related Actions*

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| 03/19/86 | The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95. |
| 03/20/96 | The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95. |
| 11/23/98 | The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98. |
| 08/15/01 | The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial. |

07/07/04 The City Council approved a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre). Also, companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site. The Planning Commission and staff recommended denial on 04/08/04.

08/16/06 The City Council will consider a related Extension of Time (EOT-14967) of an approved Site Development Plan Review (SDR-4004) that allowed a 28 unit attached single family development, and Extension of Time (EOT-14967) of an approved Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre) on 2.92 acres at 1700 South Buffalo Drive. Staff is recommending approval of the subject request.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings
South: Single Family Dwelling/Undeveloped
East: Single Family Dwellings
West: City Park

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: L (Low Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to R-PD5
(Residential Planned Development – 5 Units per Acre)
North: R-E (Residence Estates) under Resolution of Intent to R-PD5
(Residential Planned Development – 5 Units per Acre)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated as L (Low Density Residential) on the Southwest Sector Plan. The L (Low Density Residential) land use designation is consistent with the approved R-PD5 (Residential Planned Development – 5 Units per Acre).

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) General Analysis and Discussion

This is the first Extension of Time for the subject Variance (VAR-4005). The Variance allowed an R-PD (Residential Planned Development) Zoning District on 2.92 acres where a minimum of five acres is required, which was approved by the City Council on 07/07/04. There was an associated General Plan Amendment (GPA-4000), Rezoning (ZON-4003) and Site Development Plan Review (SDR-4004). The applicant indicates that there are delays in the construction and design process. Civil plans and a final map have not been submitted. Therefore, the Extension of Time can be supported to allow for additional time due to delays in the design and construction process.

B) Previous Conditions of Approval from Variance (VAR-4005)

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4003) and Site Development Plan Review (SDR-4004).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0